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EXAMINER

AMSEBURY, N

ART UNIT	PAPER NUMBER
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2307
DATE MAILED:

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04/29/94

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

☒ This application has been examined ☒ Responsive to communication filed on 12-26-93 ☐ This action is made final.
A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

- | | |
|--|--|
| <input checked="" type="checkbox"/> Notice of References Cited by Examiner, PTO-892. | 2. <input checked="" type="checkbox"/> Notice re Patent Drawing, PTO-948. |
| <input type="checkbox"/> Notice of Art Cited by Applicant, PTO-1449. | 4. <input type="checkbox"/> Notice of Informal Patent Application, Form PTO-152. |
| <input type="checkbox"/> Information on How to Effect Drawing Changes, PTO-1474. | 6. <input type="checkbox"/> |

Part II SUMMARY OF ACTION

- ☒ Claims 1-15 are pending in the application.
- Of the above, claims _____ are withdrawn from consideration.
- ☐ Claims _____ have been cancelled.
3. ☐ Claims _____ are allowed.
4. ☒ Claims 1-15 are rejected.
5. ☐ Claims _____ are objected to.
6. ☐ Claims _____ are subject to restriction or election requirement.
7. ☐ This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.
8. ☐ Formal drawings are required in response to this Office action.
9. ☐ The corrected or substitute drawings have been received on _____. Under 37 C.F.R. 1.84 these drawings are ☐ acceptable ☐ not acceptable (see explanation or Notice re Patent Drawing, PTO-948).
10. ☐ The proposed additional or substitute sheet(s) of drawings, filed on _____, has (have) been ☐ approved by the examiner ☐ disapproved by the examiner (see explanation).
11. ☐ The proposed drawing correction, filed on _____, has been ☐ approved ☐ disapproved (see explanation).
12. ☐ Acknowledgment is made of the claim for priority under U.S.C. 119. The certified copy has ☐ been received ☐ not been received
☐ been filed in parent application, serial no. _____; filed on _____.
13. ☐ Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
14. ☐ Other _____

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CLAIMS 1-15 ARE PENDING

1. The disclosure is objected to because of the following informalities:

In claim 2 the phrase "locators ... indexed to designation which identify" appears to have missing articles or plurality.

Similar problems occur in claims 2, 11 and elsewhere.

Appropriate correction is required.

2. Claims 1-15 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In claim 1:

The phrase "a record request ... identification of the record" at lines 9-12 appears to imply that a specific record is involved. In that case, it is thought that the record must be identified in order to request it; it is not clear how the locator differs from the record identifier to which it is "indexed" at line 5.

It is not clear where or from what set a locator is "selected" at line 11. In particular it is not stated that it is selected from the presented group.

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The term "facilitates its retrieval" at line 12 is not equivalent to "finding" or "not finding", as promised by "method of searching". Thus the limitations recited in the body of the claim are not functionally related to the limitations as set forth in the preamble.

In claim 2:

There is no proper antecedent of "the locators" in line 3 of claim 1. It is not clear how locators are to be indexed to both "record identifiers" at line 5, and "designation" (sic) at lines 2-3 of claim 2.

In claim 3:

Either the mnemonics are the locators, in which case they are already "indexed to identifiers" at line 5 of claim 1, or the phrase "the locator mnemonics" has no proper antecedent.

In claim 4:

This claim seems to imply at lines 5-6 that "locator table" contains record identifiers, not "locator mnemonics" as in claim 3, or some pointer to record identifiers as implied by "indexed to record identifiers" in claim 1. The intention is not clear.

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In claim 5:

The phrase "arranging the locators as keywords" is not clear, as either they are keywords, or mere arrangement cannot make them so. At this point in the claim dependency chain, the "locators" have several apparently contradictory aspects and/or multiple roles.

It is further not clear how to conform "entered at the reception system" and "with a plurality of search strategies". In particular, this reads on a user having a strategy in mind, rather than a selection provided by the system itself. There is no structure in the claim to support the latter. A similar analysis applies to claims 9 and 10.

In claim 6:

It is not clear how "records" can be "interactive applications" within the common lexicon of the art. There is not even support in the claim for retrieving a object oriented object which includes interactive methods and then invoking them, or the like. It is also not clear how mere arrangement can generate applications.

In claim 10:

It is not clear how the phrase "a listing by subject category" is related to the rest of the method.

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In claim 11:

The phrase "the available table codings" at lines 14-15 has no proper antecedent.

At line 16, it is not clear where "the table" is transmitted from. At line 18, the phrase "the table identified applications" does not have a proper antecedent.

Perhaps because of the confusion of plurality concerning "application" at line 1, it is not clear whether all applications are processed, or only a "found" one as implied by "method of searching". In either case, the limitations as set forth in the body of the claim are not functionally related to those set forth in the preamble.

In claim 12:

The phrase "the coding" at line 3 has no proper antecedent; it is used as a noun, not a verb, in claim 11. It is not clear what is intended by "referring to the objects". It is not clear what is meant by "objects that make up applications", since objects are inherently passive and applications are generally proactive.

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In claim 13:

The phrase "the table code identifiers" does not have a proper antecedent. It is not clear whether "query for applications in ... procedures" is intended to place the query or place the application in the procedures. It is also not clear if translating multiple procedures into a common one is to take place before or after the "receiving" and the placement spoken to above.

In claim 14:

It is not clear if the query is to fit into the categories of selection mentioned, or if a searched-for application is to be included into the group, or if "for" is intended to be -- from -- or some other possibility.

In claim 15:

The phrase "the corresponding text and graphic data" has no proper antecedent. It is not clear how to carry out "executing the objects". It is not clear what is the relationship between "to present ... data for review" and applications, objects, groups, and the selection process.

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3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 1-15 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cichelli et al, USP 4,429,385, Method and Apparatus for Digital Serial Scanning With Hierarchical and Relational Access.

Cichelli et al (Cichelli) corresponds to the elements of the claims as follows:

In claim 1:

"record locators indexed to record identifiers"

(Col 8 lines 43-44, and 55-58, where the headnote serves as a record identifier. Physical record location in a stream of frames is done in Cichelli with a key determined from user input and implemented in the receiver circuitry . This is the indexing mechanism. The record locators have two aspects, a path part and a display part, col 8 line 64 to col 9 line 17. The display part is seen by the user appear as items listed in menus on a screen, and it is the path part from which the key is generated, col 9 lines 5-29.)

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"arranging the locators in ... groups"

(Col 8 lines 15-16, where the list of menu items form a group of locators. See also col 5 lines 25-28, 42-50, 61-68; col 6 lines 1-7 and 21-23, where two types logical organization can be imposed on the data frames by the system of Cichelli. Both determine groups of frames.)

"generating a ... group code in response to a record request ..."; "designating the ... groups by code"

(One aspect of the group code in Cichelli is the display part presented in a menu, with the locator of a group or record determined as a sequence of choices of display items. The path part of such a locator determines a code in a pattern matcher, which controls the selection, as discussed at col 9 lines 36-63. In more detail: Col 8 line 64 to col 9 line 4 describes frame identifiers. Groups of them are selected on the basis of a path number list, col 9 lines 5-29, which determines a group as a subtree as in FIG 3A. The group code determines the pattern of frames grabbed from the stream, as described at col 9 lines 47-63. In particular, the role of the user in evoking the group code is indicated at col 9 lines 23-29.)

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In claim 2:

"setting the locators as mnemonics"

(Col 9 lines 23-29, where the menu item is the mnemonic for the numbers which determine screens that determine the frame grabber patterns.)

In claim 3:

"arranging the locator mnemonics in tables"

(Col 8 lines 15-16 and col 9 lines 23-29, where a list of menu items is such a table.)

In claim 4:

"codes as ... character strings"

(The locators can be alphabetical, as noted at col 5 line 40 et seq.)

In claim 5:

"entered ... with a plurality of search strategies"

(Col 5 line 10 to col 6 line 68; in particular, col 5 lines 10-12 and 37-41, and 52-54, and 61-62, and col 6 lines 40-64.)

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In claim 6:

"records ... are interactive applications ..."

(Cichelli is clearly interactive, and retrieved data in the form of microcomputer programs is explicit taught at col 8 lines 45-47. Such a program is an object from which an application can be generated.)

In claims 7-10:

The limitations of these claims are thought to be covered in the citations above, specifically "object identifications", "based on a description", "alphabetical listing", and "listing by subject".

The analysis of claims 11-15 is similar.

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Phillips et al, USP 4,835,683, Expert Information System and Method for Decision Record Generation.

Barnes et al, USP 4,888,681, Space Management System for Data Files Having Shared Access.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is (703) 305-3828.


Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

WPA

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April 12, 1994

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SUPERVISORY PATENT EXAMINER
GROUP 230